

CORRECTED MINUTES OF THE REGULAR MEETING OF THE  
FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

June 15, 2006

On June 15, 2006, the Commissioners of the Fairfax County Redevelopment and Housing Authority (FCRHA) met in the FCRHA Board Room, One University Plaza, 4500 University Drive, Fairfax, Virginia.

PRESENTATION

At 6:45 p.m., Aseem Nigam, Director, Real Estate Finance and Grants Management, introduced Rick Edson and Charles Wilson, Principals of AHP Virginia, LLC, the developer of Janna Lee Village Apartments. Messrs. Edson and Wilson gave an overview of the project, which included project goals, resources, and subsequent phases of the acquisition and rehabilitation. The presenters noted that one of the goals is the preservation of 300 units that have served Fairfax County for over 30 years. After the presentation, Messrs. Edson and Wilson responded to questions from the Commissioners, including one from Chairman Egan on how they intend to achieve greater income mix at Janna Lee Village. Commissioner McAloon thanked the AHP principals for the presentation and for addressing questions raised. He urged them to look into incorporating universal design into the units.

Commissioners present were as follows: Conrad Egan, Martin Dunn, Willard Jasper, John Kershenstein, H. Charlen Kyle, Elisabeth Lardner, John Litzenberger, Albert McAloon, Lee A Rau, and Joan Sellers.

CALL TO ORDER

FCRHA Chair Conrad Egan called the meeting of the FCRHA to order at 7:04 p.m. FCRHA Commissioners present or absent were as follows:

PRESENT

Conrad Egan  
Martin Dunn  
Willard Jasper  
John Kershenstein  
H. Charlen Kyle  
Elisabeth Lardner  
John Litzenberger  
Al McAloon  
Lee A Rau  
Joan Sellers

ABSENT

Ronald Christian

Also present at the meeting were the following staff of the Department of Housing and Community Development (HCD): Paula C. Sampson, Director; Mary A. Stevens, Deputy Director; Harry Swanson, Deputy Director for Revitalization and Real Estate; Patricia Schlener, Director of Administration; Kristina Norvell, Director, HCD Office of Public Affairs; Steve Solomon, Director, Financial Management Division (FMD); Mary Lou Thompson, Account III, FMD; Michael Trent, Network/Telecommunication Analyst II, Information Systems

and Services; John Payne, Director, Real Estate and Revitalization Division (R&R); Elisa Johnson, Grants Coordinator, R&R; Cynthia Ianni, Director, Design Development and Construction Division (DD&C); Aseem Nigam, Director, Real Estate Finance and Grants Management Division (REFGM); Louise Milder, Associate Director, REFGM; Douglas B. Lynott, Senior Program Manager, REFGM; Molly Norris, Housing Community Developer, IV, REFGM; Derek Dubard, Real Estate Loan Officer, REFGM; Steven Knippler, Housing Community Developer, IV, REFGM; Michael Pearman, Management Analyst, REFGM; Barbara Silberzahn, Chief, Homeownership and Relocation Services; Nancy Long, Program Manager, First-Time Homebuyers Program; Russ Boothby, Capital Grant Program Manager; John Panarelli, Design and Construction Manager, Property Improvement and Maintenance Division; and Winifred A. Clement, FCRHA Assistant. Other Fairfax County staff in attendance: David Stroh, Assistant County Attorney and FCRHA Counsel.

#### CITIZEN TIME

The FCRHA Chair opened Citizen Time at 7:05 p.m. CSB Board Member Mary Ann Beall introduced herself as a CSB liaison to the FCRHA. She announced, with regrets, the passing of the CSB Board Chair, Mr. Joe Beeman, and noted that he so ably represented persons with disabilities. FCRHA Chair welcomed Ms. Beall to the FCRHA and thanked her for attending and testifying before the FCRHA. With no one in the audience wishing to speak, the Chair closed Citizen Time at 7:10 p.m.

#### APPROVAL OF MINUTES

A motion was made by Commissioner Litzenberger, seconded by Commissioner Rau, that the FCRHA approve the Minutes of the May 4, 2006 Meeting as written. Commissioners Jasper and Rau requested that corrections be made to the Minutes as follows:

Page 7, Resolution Number 40-06. The Minutes were corrected to read that Commissioner Jasper was the maker and Commissioner Christian was the seconder of Resolution Number 40-06. The Minutes incorrectly listed Commissioner Jasper as both the maker and seconder of the motion.

A vote was taken; the motion carried, and the minutes of May 4, 2006, were approved as corrected.

#### ACTION ITEMS

1. RESOLUTION NUMBER 45-06

AUTHORIZATION TO ENTER INTO MEMORANDA OF UNDERSTANDING WITH 1) THE  
FAIRFAX COUNTY PUBLIC SCHOOLS AND 2) FAIRFAX COUNTY, ACTING ON BEHALF  
OF THE DEPARTMENT OF HUMAN RESOURCES, FOR THE  
MAGNET HOUSING RENTAL PROGRAM

NOW THEREFORE BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes any Assistant Secretary to negotiate and enter into Memoranda of Understanding with the Fairfax County Public Schools and Fairfax County, acting on behalf of the Department of Human Resources, with respect to the establishment of the Magnet Housing Rental Program for Fairfax County Public School personnel such as teachers and bus drivers, and Fairfax County Government employees, as outlined in the item presented to the FCRHA at its meeting on June 15, 2006.

A motion was made by Commissioner Jasper, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 45-06. A brief presentation given by Elisa Johnson, HCD Grants Coordinator. Ms. Johnson announced that the Magnet Housing Program will serve the Schools as well as County employees, with priority given to public health nurses. Sherry Rowe, Department of Human Resources, talked about the difficulties her department is encountering in hiring and keeping nurses in the County. She noted that about 70% of the nurses in the County will be ready to retire within a year. And that it is common for prospective employees to turn down employment offers because they cannot afford to live in Fairfax County. Ms. Rowe encouraged the Commissioners to adopt this resolution. The Director of Employment Services of Fairfax County Public Schools, Debra Reeder, talked about the loss of highly qualified teachers who prefer to seek employment in lower cost areas. She praised the FCRHA for being honest, creative and productive in its dealings. Linda Farbry, Director, Department of Facilities and Transportation Services, Fairfax County Public Schools, testified on behalf of the bus driver program and called the bus drivers her heroes. She encouraged support for and approval of the program to prevent the shortage of and provide stability to the bus drivers. After the presentation, Ms. Johnson responded to questions from the Commissioners.

A vote was taken after discussion, and the motion to adopt Resolution Number 45-06 carried unanimously.

Chairman Egan thanked Commissioner Kershenstein for the leadership and focus he placed on the Magnet Housing Program. Commissioner Kershenstein thanked HCD staff for bringing it to fruition.

2. RESOLUTION NUMBER 46-06

ADOPTION OF A PILOT "LEASE-UP TO HOMEOWNERSHIP" PROGRAM  
TO PROVIDE TENANT-BASED RENTAL ASSISTANCE (TBRA) USING  
FUND 145, HOME INVESTMENT PARTNERSHIP GRANT, TO ASSIST  
HOMELESS FAMILIES MOVE TO HOMEOWNERSHIP

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA)

1. Approves the program design for the new "Lease-Up to Homeownership" self sufficiency program, as outlined in the item and as presented to the FCRHA at its meeting on June 15, 2006; and,

2. Authorizes the use of up to \$550,000 in Fund 145, HOME Investment Partnerships Grant, to provide tenant-based rental assistance for up to 25 currently-homeless families in Fairfax County participating in the "Lease-Up to Homeownership" self-sufficiency program; and

3. Authorizes the use of other resources to assist in home purchase as needed, subject to FCRHA and/or Board of Supervisors approval; and

4. Requires the Project Manager to present an annual progress report to the FCRHA demonstrating the outcome of the investment of County HOME funds and the overall efficacy of the program with relation to its goals and objectives.

A motion was made by Commissioner Jasper, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 46-06. A brief presentation was given by Douglas Lynott, Senior Program Manager, REFGM. Mr. Lynott responded to questions from the Commissioners after the presentation. A vote was taken after discussion; the motion to adopt Resolution Number 46-06 carried unanimously.

Mr. Lynott recognized two members of Family Services, who were instrumental in the development of the program, Kathy Froyd and Diana Lotito, who extended appreciation to the FCRHA for the support. Chairman Egan suggested that if the pilot is successful, staff may want to end pilot early and implement it as a regular program.

3. RESOLUTION NUMBER 47-06

AUTHIZATION TO ENTER INTO A CONTRACT WITH  
THE LOWEST RESPONSIBLE AND RESPONSIBLE BIDDER FOR THE  
REHABILITATION OF 48 UNITS AT PENDERBROOK APARTMENTS  
(PROVIDENCE DISTRICT)

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority determines that Gibraltar Construction Company, Inc. is the lowest Responsive and Responsible Bidder for Renovations at Penderbrook Apartments and hereby authorizes:

- 1) Its Secretary or Assistant Secretary to enter into a contract in the amount of amount of \$1,128,000.00 for these improvements to Penderbrook Apartments with Gibraltar Construction Company, Inc.

- 2) Its Secretary or Assistant Secretary to approve change orders to this contract in an amount not to exceed 10% of the contract (\$112,800.00) and designate a contracting officer.

A motion was made by Commissioner Rau, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 47-06. After a brief presentation, Russ Boothby, Capital Fund Program Manager, responded to questions from the Commissioners.

Commissioner McAloon requested that the contractor be asked to consider universal design accessibility features.

A vote was taken after discussion, and the motion to adopt Resolution Number 47-06 carried unanimously.

4. RESOLUTION NUMBER 48-06

ADOPTION OF THE FY 2007 CONSOLIDATED FAIRFAX COUNTY  
REDEVELOPMENT AND HOUSING AUTHORITY/DEPARTMENT OF HOUSING AND  
COMMUNITY DEVELOPMENT OPERATING AND CAPITAL BUDGET PLAN

BE IT RESOLVED, that the Fairfax County Redevelopment and Housing Authority (FCRHA):

1) Adopts the FY 2007 FCRHA/Department of Housing and Community Development (HCD) Operating and Capital budgets for the following funds appropriated by the FCRHA as presented to the FCRHA at the May 4, 2006 meeting:

Fund 940:	FCRHA General/Operating
Fund 941:	Fairfax County Rental Program
Fund 945:	Non-County Appropriated Rehabilitation Loans
Fund 946:	FCRHA Revolving Development
Fund 948:	FCRHA Private Financing
Fund 949:	FCRHA Internal Service
Fund 950:	FCRHA Partnerships
Fund 965:	FCRHA Housing Grants
Fund 966:	FCRHA Housing Choice Voucher Program
Fund 967:	FCRHA Public Housing under Management
Fund 969:	FCRHA Public Housing- Projects Under Modernization

2) Acknowledges the Operating and Capital budgets including the County Executive's recommendations and the FCRHA's requests as presented to the FCRHA at the May 4, 2006 meeting for the following funds appropriated by the County.

Fund 001:	HCD General Operating
Fund 141:	Elderly Housing Program
Fund 142:	Community Development Block Grant
Fund 143:	Homeowner and Business Loan Program
Fund 144:	Housing Trust Fund
Fund 145:	HOME Investment Partnership Grant
Fund 319:	Penny for Affordable Housing Program
Fund 340:	Housing Assistance Program
Fund 341:	Housing General Obligation Bond Construction

A motion was made by Commissioner Dunn, seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 48-06. A brief presentation was made by Mary Lou Thompson, Accountant III, Financial Management Division. After the presentation Ms. Thompson responded to questions from the Commissioners.

5. RESOLUTION NUMBER 49-06

AUTHORIZATION, SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS, FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FORM A LIMITED LIABILITY COMPANY TO ACQUIRE CEDAR RIDGE APARTMENTS AND TO ADVERTISE AND CONDUCT A PUBLIC HEARING PURSUANT TO THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 IN CONNECTION WITH THE ISSUANCE OF BONDS FOR THE ACQUISITION AND REHABILITATION OF THE CEDAR RIDGE APARTMENTS (HUNTER MILL DISTRICT)

WHEREAS, the Fairfax County Redevelopment and Housing Authority (the "Authority") desires to form a Virginia limited liability company to be known as the FCRHA Cedar Ridge LLC for which the Authority will be the managing member; and

WHEREAS, the Authority is a political subdivision of the Commonwealth of Virginia, established pursuant to the Virginia Housing Authority Law, Title 36, Chapter 1, *Code of Virginia*, 1950, as amended (the "Act"), and is authorized thereby to issue its notes and bonds from time to time to fulfill its public purposes within the meaning of the Act; and

WHEREAS, pursuant to and in accordance with the Act, the Authority desires to issue and sell its Multifamily Housing Revenue Bonds (Cedar Ridge Project) Series 2006 in the aggregate principal amount not to exceed \$13.5 million (the "Bonds") consisting of tax-exempt and/or taxable bonds; and

WHEREAS, the proceeds of the Bonds will be used to provide funding for the acquisition and rehabilitation by FCRHA Cedar Ridge LLC of a 198-unit multifamily rental project-based Section 8 project known as Cedar Ridge (the "Project") located in Reston, Virginia; and

WHEREAS, the Bonds will be limited obligations and payable from the revenues pledged thereto pursuant to the Trust Indenture pursuant to which the Bonds will be issued, and as required by the Act, the Bonds shall not be a debt of Fairfax County, Virginia, the Commonwealth of Virginia or any political subdivision thereof (other than the Authority) and neither Fairfax County, Virginia, nor the Commonwealth of Virginia or any political subdivision thereof (other than the Authority) will be liable thereon, nor in any event shall the Bonds be payable out of any funds other than those received by the Authority from the Project, and the Bonds shall not constitute an indebtedness by the Authority within the meaning of any constitutional or statutory debt limitation or restriction; and

WHEREAS, pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA"), the Authority is required to hold a public hearing ("TEFRA Hearing") in connection with the issuance of the Bonds; and

WHEREAS, the Authority intends to hold a TEFRA Hearing on July 27, 2006; and

WHEREAS, for the purposes of compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended, the proposed bond issue must be approved by the Fairfax County Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, by the Fairfax County Redevelopment and Housing Authority that;

1. The Authority authorizes the formation of a Virginia limited liability company to be known as the FCRHA Cedar Ridge LLC, subject to the approval of the Fairfax County Board of Supervisors, and authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute any necessary documents to form FCRHA Cedar Ridge LLC with the FCRHA as managing member; and

2. The Authority authorizes submission to the Fairfax County Board of Supervisors for approval of (i) formation of the FCRHA Cedar Ridge LLC, for which the Authority will be the managing member and (ii) the proposed bond issue for the purpose of acquisition and rehabilitation of the Project by FCRHA Cedar Ridge LLC as outlined in the item presented to the FCRHA at its meeting on June 15, 2006; and

3. The Secretary or any Assistant Secretary is authorized to advertise and take other necessary steps for the holding of a public hearing pursuant to the Tax Equity and Fiscal Responsibility Act of 1982 at a regular scheduled meeting of the Authority.

A motion was made by Commissioner Rau, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 49-06. A brief presentation was made by Michael Pearman, Management Analyst, REFGM Division. After the presentation, Mr. Pearman, responded to questions from the Commissioners. Commissioner McAloon requested that accessibility features be included in the project. A vote was taken after discussion as follows:

AYE

Conrad Egan  
Martin Dunn  
Willard Jasper  
H. Charlen Kyle  
Elisabeth Lardner  
John Litzenberger  
Al McAloon  
Lee A Rau  
Joan Sellers

NAY

ABSTAIN

John Kershenstein

After discussion, the motion carried, with Commissioner Kershenstein abstaining.

6. RESOLUTION NUMBER 50-06

AUTHORIZATION TO REVISE THE FCRHA AFFORDABLE DWELLING UNIT  
PURCHASE POLICY

NOW THEREFORE BE IT RESOLVED THAT the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes the ADU Purchase Option Policy to be revised to increase the ADU purchase limit per annum from 25 units to 50 units and to increase the limits on the number of units purchased in any one subdivision from ten to 15 units.

A motion was made by Commissioner Jasper, seconded by Commissioner McAloon, that the FCRHA adopt Resolution Number 50-06. A presentation was given by John Payne, Director, Real Estate and Revitalization Division. Following discussion among the Commissioners, HCD Director Paula Sampson and John Payne responded to questions from the Commissioners.

Commissioner Litzenberger proposed that Resolution Number 50-06 be amended to include the following: "This option will be exercised when there are no qualified individuals on the ADU waiting lists or those qualified individuals on the ADU waiting list have declined the option to purchase the property." A motion was made by Commissioner Rau, seconded by Commissioner Sellers, to table Resolution Number 50-06 for discussion at the September 2006 HOMS Committee meeting. A vote was taken, and the motion to table carried unanimously.



Commissioner Lardner requested that staff prepare a synopsis of the ADU program for the benefit of those Commissioners who were not with the FCRHA at the inception of the ADU program. Commissioner Sellers requested statistics on the percentage of the disabled and senior families who have housing needs in the County.

7. RESOLUTION NUMBER 51-06

AUTHORIZATION TO ENTER INTO CONTRACTS BETWEEN THE FAIRFAX COUNTY  
REDEVELOPMENT AND HOUSING AUTHORITY AND NONPROFIT ORGANIZATIONS  
RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (PROVIDENCE,  
BRADDOCK, MOUNT VERNON, LEE, AND MASON DISTRICTS)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the Chairman, Vice Chairman, or any Assistant Secretary of the FCRHA to negotiate, execute and deliver contracts, loans and any other necessary or appropriate documents or agreements in accordance with the applicable Federal regulations for the use of Community Development Block Grant Funds and consistent with the approvals of the Board of Supervisors in each instance between the FCRHA, as more fully described in the item presented to the FCRHA at its June 15, 2006 Meeting, and:

(1) Homestretch, Inc. in the amount of \$450,000 to purchase two four-bedroom units in the Falls Church area of Fairfax County to be rented to a homeless or low-income family with children under 18 that resides in the County; and

(2) Good Shepherd Housing and Family Services in the amount of \$652,000 for the acquisition of five units of affordable rental housing to be rented to very low and low/moderate income persons in need of emergency and transitional housing in the Richmond Highway Area.

A motion was made by Commissioner Dunn, seconded by Commissioner Jasper, to adopt Resolution Number 51-06. A vote was taken, and the motion carried unanimously.

8. RESOLUTION NUMBER 52-06

AUTHORIZATION TO REALLOCATE \$36,990 IN FUND 145 HOME INVESTMENT  
PARTNERSHIPS FUNDS AS A PORTION OF THE FINANCING FOR THE PURCHASE OF  
TWO AFFORDABLE DWELLING UNITS AT THE VILLAGE OF LORTON VALLEY  
SUBDIVISION (MOUNT VERNON DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) authorizes the reallocation of \$36,990 in Home Investment Partnership

funds to complete the financing structure for the purchase of two affordable dwelling units (the ADU Units) in the Village at Lorton Valley Subdivision; and

BE IT FURTHER RESOLVED that the FCRHA authorizes Paula C. Sampson to act as its authorized negotiator for the purchase of the ADU Units, and further authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents and agreements necessary or appropriate in connection with the purchase of the ADU Units.

A motion was made by Commissioner Lardner, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 52-06. A vote was taken and the motion carried unanimously.

9. RESOLUTION NUMBER 53-06

APPROVAL OF AN EQUIPMENT LOAN IN AN AMOUNT NOT TO EXCEED \$500,000 IN INVESTING IN COMMUNITIES PROGRAM (ICP) FUNDING TO SKYLINE AMOCO, LLC FOR A BAILEY'S CROSSROADS/SEVEN CORNERS COMMERCIAL REVITALIZATION DISTRICT (CRD) REDEVELOPMENT PROJECT, SUBJECT TO BOARD OF SUPERVISORS APPROVAL (MASON DISTRICT)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby:

1. Approves a loan from the Investing in Communities Program (ICP) in an amount not to exceed \$500,000 to Skyline Amoco, LLC for equipment for the reconstruction of Skyline Amoco, LLC in the Bailey's Crossroads/Seven Corners Commercial Revitalization District; and

2. Authorizes Paula C. Sampson, Assistant Secretary, to negotiate all documents necessary or appropriate and authorizes the Chairman, Vice Chairman, and any Assistant Secretary to execute any and all documents necessary or appropriate to facilitate this loan within the funding available as identified in the item presented to the FCRHA at its meeting of June 15, 2006, subject to approval by the Board of Supervisors.

A motion was made by Commissioner Sellers, seconded by Commissioner Dunn, that the FCRHA adopt Resolution Number 53-06. A vote was taken and the motion carried unanimously.

10. RESOLUTION NUMBER 54-06

AUTHORIZATION, SUBJECT TO APPROVAL OF THE BOARD OF SUPERVISORS, TO REALLOCATE AND AUTHORIZE DISBURSEMENT OF UP TO \$675,000 IN ADDITIONAL FUNDS FROM THE HOME INVESTMENT PARTNERSHIPS PROGRAM FOR CONSTRUCTION OF A NEW ADULT ASSISTED LIVING FACILITY AT BIRMINGHAM GREEN (PRINCE WILLIAM COUNTY)

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) hereby authorizes, subject to the approval of the Board of Supervisors, the reallocation and disbursement of up to \$675,000 in funding from the Home Investment Partnerships Program (HOME) to be added to the \$575,000 in HOME funds authorized by the FCRHA and subject to the same terms and conditions set forth in the item presented to the FCRHA at its meeting on October 28, 2004; and

BE IT FURTHER RESOLVED that, subject to the approval of the Board of Supervisors, the FCRHA hereby authorizes its Chairman, Vice Chairman or any Assistant Secretary to enter into a forgivable deferred payment loan to Birmingham Green Assisted Living, Inc. in the amount of up to \$1,250,000 to be used towards the construction of Adult Assisted Living at Birmingham Green; and

BE IF FURTHER RESOLVED that the FCRHA authorizes Paula C. Sampson to act as its authorized negotiator, and further authorizes its Chairman, Vice Chairman or any Assistant Secretary to execute all documents and agreements necessary or appropriate in connection with the loan.

A motion by Commissioner Dunn, seconded Commissioner Jasper, to adopt Resolution Number 54-06. After a brief presentation by Associate Director Louise Milder, she responded to questions from the Commissioners. A vote was taken after discussion and the motion carried unanimously.

Chairman Egan requested that a descriptive overview and update be sent to the FCRHA on the Birmingham Green project.

ADMINISTRATIVE ITEMS

1. RESOLUTION NUMBER 55-06

APPROVAL OF PRELIMINARY PLANS FOR FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY 40<sup>TH</sup> ANNIVERSARY OBSERVANCE

BE IT RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA) approves the expenditure of funds from Fund 940 in an estimated amount

of \$10,000-\$12,000 for the FCRHA's 40<sup>th</sup> Anniversary Commemoration Dinner as part of the Plans for the Observance adopted by the FCRHA on May 4, 2006, and as outlined in the item presented to the FCRHA at its meeting on June 15, 2006.

A motion was made by Commissioner McAloon seconded by Commissioner Jasper, that the FCRHA adopt Resolution Number 55-06. Discussions were held regarding soliciting sponsorship from businesses to support the dinner celebration. It was decided that the tickets would be sold to the dinner scheduled for October 10, 2006, and FCRHA fund would be used to defray any expense not covered by ticket revenue. Commissioners expressed their desire to pay for their own tickets but asked HCD Director Paula Sampson to invite key staff, and others as appropriate, to attend the event on a complementary basis, as guests of the FCRHA. After HCD Director Paula Sampson and HCD Public Affairs Director Kristina Norvell responded to questions from the Commissioners, a vote was taken as follows:

AYE

Conrad Egan  
John Kershenstein  
Elisabeth Lardner  
John Litzenberger  
Lee A Rau

NAY

Martin Dunn  
Willard Jasper  
Al McAloon  
Joan Sellers

ABSTAIN

H. Charlen Kyle

The motion carried, with Commissioners Dunn, Jasper, McAloon, and Sellers voting nay, and Commissioner Kyle abstaining.

INFORMATION ITEMS:

1. Fairfax County Redevelopment and Housing Authority Meeting Summary – May 4, 2006
2. Contracts of \$50,000 or Less
3. Minutes of the Housing Ownership, Management, and Security Committee Meeting– June 6, 2006
4. Minutes of the Revitalization and Redevelopment Committee Meeting – June 6, 2006
5. Minutes of the Finance Committee Meeting – June 7, 2006
6. Summary of the Board of Supervisors Housing Committee Meeting, as amended – March 20, 2006 – *Correction was made as follows: Page 7, under High Rise Panel, "Commissioner Lee" was corrected to read "Commissioner Rau."*
7. Affordable Dwelling Unit (ADU) Tracking Report

8. Fairfax County Redevelopment and Housing Authority Calendars of Meetings – July and September 2006

CLOSED SESSION

A motion was made by Commissioner Dunn, seconded by Commissioner Sellers, that the FCRHA go into Closed Session for (a) discussion and consideration, pursuant to Virginia Code Section 2.2-3711(A)(3), of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the FCRHA and (b) consultation with legal counsel and briefing by staff members, pursuant to Virginia Code Section 2.2-3711(A)(7), pertaining to actual litigation, probable litigation and specific legal matters requiring the provision of legal advice by such counsel where such consultation or briefing in an Open Meeting would adversely affect the negotiating or litigating posture of the FCRHA.

At this point Commissioner Kershenstein requested that the second part of the Closed Session motion be discussed in open meeting since the actual litigation had already taken place. He also expressed concern about the issue of notification to the FCRHA on this matter. A discussion ensued in Open Session.

MOTION

A motion was made by Commissioner Kershenstein, seconded by Commissioner Kyle, that the FCRHA reconstitute the FCRHA's ad hoc Legal Committee, consisting of the four volunteers and draftees, who would look into the matter and determine if an independent audit of FCRHA housing programs would be advisable to ensure there are no discriminatory practices occurring in FCRHA programs. The motion passed unanimously.

The ad hoc Legal Committee consists of Commissioners John Litzenberger, John Kershenstein, Lee Rau and Willard Jasper. Commissioner Sellers volunteered to be on-call to break any possible tie. Chairman Egan would also participate, subject to his availability.

Commissioner Kershenstein requested a verbatim transcript of the discussion, which is Attachment #2.

A vote was taken, and the FCRHA went into Closed Session at 9:40 p.m.

OPEN MEETING RESUMED

A motion was made by Commissioner Dunn, seconded by Commissioner Jasper, that the members of the Fairfax County Redevelopment and Housing Authority certify that to the best of their knowledge only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Closed Session were heard, discussed or considered by

the Fairfax County Redevelopment and Housing Authority during Closed Session. A vote was taken by roll call as follows:

AYE

Conrad Egan  
Martin Dunn  
Willard Jasper  
John Kershenstein  
H. Charlen Kyle  
Elisabeth Lardner  
John Litzenberger  
Al McAloon  
Lee A Rau  
Joan Sellers

NAY

ABSTAIN

The motion carried unanimously, and open meeting resumed at 9:54 p.m.

ACTION ITEMS Cont'd

11. RESOLUTION NUMBER 56-06, AS AMENDED

AUTHORIZATION TO NOT CURE THE DEFAULT ON THE PROPERTY; AND

AUTHORIZATION TO BID/PURCHASE AT THE FORECLOSURE SALE OF  
4612 FLATLICK BRANCH DRIVE, CHANTILLY, VA 20151  
AN AFFORDABLE DWELLING UNIT (ADU) IN THE SULLY DISTRICT

BE IT HEREBY RESOLVED that the Fairfax County Redevelopment and Housing Authority (FCRHA)

1. (a) Shall not take any action to cure the loan default on the Property at 4612 Flatlick Branch Drive, Chantilly, VA; and  
  
(b) Authorizes bidding at the foreclosure sale for the purchase of the ADU Property not to exceed the amount presented by staff in closed session; and
2. Authorizes the Chairman, Vice Chairman, or any Assistant Secretary, to negotiate and to execute any and all documents necessary to purchase the property as set forth herein; and
3. Authorizes drawing upon the Homeowner Assistance Program (MIDS project) and Business Loan Programs Fund 143 or the Housing Trust Fund 144, Project 014143 (Land Unit Acquisition) in the amount not to exceed an amount presented by staff in

closed session to cover acquisition and carrying costs to be repaid from the sale of the unit as an ADU to a first-time homebuyer

4. This authorization remains in effect until June 15, 2007.

A motion was made by Commissioner Litzenberger, seconded by Commissioner Rau, that the FCRHA adopt Resolution Number 56-06, as discussed in Closed Session. A vote was taken after discussion, and the motion carried unanimously.

BOARD MATTERS – See Attachment #1

ADJOURNMENT

A motion was made by Commissioner Rau, seconded by Commissioner Sellers, to adjourn the meeting at 10:00 p.m. A vote was taken and the motion carried unanimously.

(Seal)

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Conrad Egan, Chair

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Paula C. Sampson, Assistant Secretary